



MORI/CDF

Draft Legislation as Proposed by the USIB Ad Hoc Committee

PROTECTION OF INTELLIGENCE DATA

1. This chapter shall apply within the admiralty and maritime jurisdiction of the United States, on the high seas and elsewhere, as well as within the United States.

2. For the purposes of this act the term "Intelligence Data" means information and materials which for reasons of national security are specifically designated for limited or restricted distribution or dissemination by a department or agency of the United States authorized by the President so to designate as having been obtained by, or used in intelligence activities of the United States and includes but is not limited to (1) notes, models, instruments, appliances, facts, statistics, analyses, sketches, drawings, pictures, maps, graphic representation and photographs; (2) intelligence sources and methods; (3) reports, evaluations and estimates; and (4) procedures, equipment, techniques, devices and methods used in the collection and production of Intelligence Data.

3. Whoever being or having been an officer or employee of any department or agency of the United States, being or having been a member of the armed forces, or being or having been a contractor of any department or agency of the United States or being or having been an employee of a contractor of any department or agency of the United States and in the course of such relationship becomes possessed of

1. Intelligence Data, knowingly, directly or indirectly, imparts, discloses,  
2. publishes, divulges, or makes known in any manner, or causes to be  
3. imparted, disclosed, published, divulged, or made known in any manner,  
4. such Intelligence Data or any part thereof to any person whom such  
5. officer or employee knows or has reason to believe is not entitled to  
6. receive Intelligence Data knowing or having reason to know that such  
7. information is Intelligence Data shall be fined not more than \$10,000 or  
8. imprisoned not more than ten years or both.

9.           4. Whoever being or having been an officer or employee of any  
10. department or agency of the United States, being or having been a member  
11. of the armed forces, or being or having been a contractor of any department  
12. or agency of the United States or being or having been an employee of a  
13. contractor of any department or agency of the United States and in the  
14. course of such relationship becomes possessed of Intelligence Data,  
15. knowingly, directly or indirectly attempts to impart, disclose, publish,  
16. divulge, or make known in any manner, or attempts to cause to be  
17. imparted, disclosed, published, divulged, or made known in any manner  
18. such Intelligence Data or any part thereof to any person whom such  
19. officer or employee knows or has reason to believe is not entitled to  
20. receive Intelligence Data knowing or having reason to know that such

1. information is Intelligence Data shall be fined not more than \$10,000  
2. or imprisoned not more than ten years or both.

3.           5. In the interests of the security of the intelligence activities  
4. of the United States the departments and agencies having responsibility  
5. for the protection of Intelligence Data from unauthorized disclosure are  
6. hereby authorized to promulgate with the approval of the President rules  
7. and regulations for the protection of such Intelligence Data from unauthorized  
8. disclosure and for ascertaining and investigating any unauthorized  
9. disclosure.

10.           6. Whenever in the judgment of the Attorney General any person  
11. has engaged or is about to engage in any acts or practices which constitute  
12. or will constitute a violation of this act, or any regulation or order issued  
13. thereunder, or Section 793 of Title 18 United States Code, the Attorney  
14. General on behalf of the United States may make application to the appropriate  
15. court for an order enjoining such act or practices or for an order enforcing  
16. compliance with the provisions of this act, or any regulation or order  
17. issued thereunder, or Section 793 of Title 18 United States Code, and upon  
18. a showing that such person has engaged or is about to engage in any acts or  
19. practices a permanent or temporary injunction, restraining order, or other  
20. order may be granted.

1.           7. No person shall be prosecuted, tried or punished for any
2.           violation of this act unless the indictment is found or the information
3.           is instituted within ten years next after the commission of the offense.